



DUEY STROEBEL

STATE SENATOR • 20TH DISTRICT

Testimony on SB 910

February 23, 2022

Thank you Chairman Cowles and members of the Senate Committee on Natural Resources and Energy for holding a public hearing on Senate Bill 910. This bill repeals a section of the statutes that was statutorily sunset on February 8, 1986. Representative Penterman brought this to my attention and I agreed to serve as the Senate author of a bill to repeal this section of the law.

It is simply good government to prune the statutes and administrative code of inoperative provisions. It is certainly possible some Wisconsinite could look at section 87.31 of the statutes or Chapter NR 129 of the administrative code and spend some amount of time chasing a dead statute. The repeal of section 87.31 would not invalidate any of the floodplain maps that were created with financial assistance through this obsolete grant program, as these maps were made valid through other statutes (i.e., section 87.31 simply provided the funding for the creation of floodplain maps).

My office reached out to the Department of Natural Resources (DNR) regarding this bill and the department indicated that they did not plan on weighing in or registering a position on the bill, as their analysis of the legislation mirrors the analysis provided by the Legislative Reference Bureau (LRB).

The DNR staff indicated that the last time the department provided financial assistance for floodplain mapping was through the grant program prescribed in section 87.31 before it was sunset in 1986. While the DNR continues to provide technical assistance to local governments and groups upon request, in addition to providing a model ordinance for floodplain zoning that local governments may utilize at their discretion, the department indicated that FEMA and local governments are the main drivers of the floodplain mapping process. The statute in question likely would have been recommended for repeal by the DNR for the Law Revision Committee had the department come across it prior to the introduction of this bill.

SB 910 is not the most consequential piece of legislation this session, but it is common sense and should, I hope, receive bipartisan support. The Assembly companion to SB 910 (AB 953) was recently recommended for passage by the Assembly Committee on Environment on a unanimous, bipartisan vote (8-0). Thank you.



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Senate Committee on Natural Resources and Energy

Testimony from Rep. William Penterman in favor of passage of SB 910

Thank you Chairman Cowles and members of the Senate Committee on Natural Resources and Energy for the opportunity to testify on Senate Bill 910.

In 1979, Chapter 87.31 of the Wisconsin State Statutes created the floodplain and shore land mapping assistance program to provide counties, cities, and villages with financial assistance to produce adequate topographical mapping of floodplain and shore land areas and to delineate floodplain and floodway boundaries.

Since that time, flood plains and shore lines have been well documented. There is no longer a need for the program, and as a result, the program sunset in February of 1986.

This bill simply deletes a subchapter from our statutes that has not been in use since 1986. We should delete statutes that are no longer useful.

I ask the members of this committee to support this common sense bill. Thank you for your time and I would be happy to answer any questions you may have.

William Penterman
State Representative
37th Assembly District